

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

DEC 15 2023

TONY R. MOORE, CLERK
BY *[Signature]* DEPUTY

LAFAYETTE DIVISION

UNITED STATES OF AMERICA
VERSUS
JOSEPH PREJEAN

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DOCKET NO. 6:23-CR-00269-01
JUDGE JOSEPH
MAGISTRATE JUDGE WHITEHURST

STIPULATED FACTUAL BASIS FOR GUILTY PLEA

NOW INTO COURT, comes the United States of America, by and through the undersigned attorneys for the United States Attorney for the Western District of Louisiana and the Public Integrity Section, Criminal Division, United States Department of Justice, and the defendant, JOSEPH PREJEAN ("PREJEAN"), represented by his undersigned counsel, Mr. Donald W. Washington, and for the purposes of providing the Court with a factual basis for a plea agreement pursuant to Rule 11(b)(3) of the Federal Rules of Criminal Procedure, hereby stipulate as follows:

Count 1
Conspiracy to Commit an Offense
18 U.S.C. § 371

PREJEAN stipulates and agrees that he and other individuals known to the United States agreed to commit the crime of Bribery Concerning Programs Receiving Federal Funds, as alleged in the Bill of Information; he knew of the unlawful purpose of the agreement and entered into the conspiracy willfully; and he and other conspirators committed overt act(s) in order to accomplish the object of the

conspiracy. Furthermore, PREJEAN stipulates and agrees that at the time alleged in the Bill of Information, at least one of the conspirators was an agent for the 15th Judicial District Attorney's Office, a state agency that in the relevant one-year period received more than \$10,000 under federal program(s). PREJEAN stipulates and agrees that he corruptly paid things of value to conspirators in connection with the 15th Judicial District Attorney's Office's Pre-Trial Diversion Program ("the Program"). PREJEAN also stipulates and agrees that the series of transactions involved in the bribery conspiracy concerning programs receiving federal funds involved \$5,000 or more.

* * *

The 15th Judicial District Attorney's Office was a state prosecuting authority in Acadia, Lafayette, and Vermillion Parishes, in the Western District of Louisiana. At all times relevant to the Bill of Information, the 15th Judicial District Attorney's Office operated the Program. Under the Program, a person with pending criminal charges was given the opportunity to fulfill certain conditions, such as paying fines, attending courses, passing random drug tests, and performing community service. Upon successfully completing these conditions the pending criminal charges were dismissed. Entry into the Program was voluntary for the defendants, and solely offered at the discretion of the 15th Judicial District Attorney's Office.

The required courses and services were provided by third party vendors, who received payment directly from the defendants participating in the Program. One

such vendor was C & A Consulting Services, LLC (“C&A Consulting”), a company controlled and operated by PREJEAN.

From at least on or about January 2021, to on or about May 2022, DUSTY GUIDRY (“GUIDRY”) was a contractor with and agent of Louisiana’s 15th Judicial District Attorney’s Office, assigned to assist with the administration of the Program. GUIDRY was, therefore, a public official of the 15th Judicial District Attorney’s Office. From at least on or about January 2021, until at least on or about May 2022, Public Official #1 (“PO-1”) was another employee and agent of Louisiana’s 15th Judicial District Attorney’s Office, tasked with oversight of the Program. PO-1 was, therefore, also a public official of the 15th Judicial District Attorney’s Office. PREJEAN understood that GUIDRY and PO-1 controlled not only which defendants were offered entry into the Program, but also the specific vendors whose courses and services the defendants were required to take.

Beginning on a date unknown, but at least as early as the summer of 2021, PREJEAN knowingly participated in a kickback scheme that involved PREJEAN, GUIDRY, and PO-1 soliciting individuals with pending criminal charges in the 15th Judicial District to participate in the Program by promising favorable resolutions of pending felony and misdemeanor cases within the 15th Judicial District, including the eventual dismissal of the criminal charge(s). It was also part of the scheme that GUIDRY and PO-1 would ensure those defendants were required to take courses and obtain services from C&A Consulting, thus generating additional income for PREJEAN that was further shared with GUIDRY and PO-1.

For example, Person-1 was a defendant in the 15th Judicial District with pending charges in Lafayette Parish (15th Judicial District), and in St. Martin Parish (16th Judicial District). Person-1 was enrolled in the Program and, as part of the enrollment, GUIDRY and PO-1 directed that Person-1 enroll in and take classes from C&A Consulting. In or about October 2021, PREJEAN corruptly solicited \$25,000 from Person-1. PREJEAN understood that GUIDRY and PO-1 were aware of his solicitation of Person-1, and the \$25,000 was later paid on Person-1's behalf in cash to PREJEAN. During a subsequent phone conversation on October 27, 2021, PREJEAN advised GUIDRY that he had the "25 cash" [\$25,000] from Person-1. PREJEAN and GUIDRY then agreed to apportion the extorted \$25,000 between themselves and PO-1. The following day, PREJEAN corruptly paid approximately \$12,500 to GUIDRY. In making the bribe payment, PREJEAN and GUIDRY agreed that GUIDRY would pay a portion of the bribe to PO-1, who also used his/her official position to enroll Person-1 into the Program.

Further, in or about September, 2021, Person-2 was also a defendant in the 15th Judicial District with pending charges in Lafayette Parish (15th Judicial District) and an out-of-state prosecuting district. Person-2 was enrolled in the Program. On or about September 20, 2021, PREJEAN corruptly solicited \$20,000 from Person-2. PREJEAN assured Person-2 that the money would ensure that GUIDRY and other officials would successfully graduate Person-2 from the Program. Person-2 agreed to provide \$20,000 in cash to PREJEAN. Subsequently on September 29, 2021, Person-2 provided \$20,000 in cash to PREJEAN.

BRANDON B. BROWN
United States Attorney


Dated: 12/15/23



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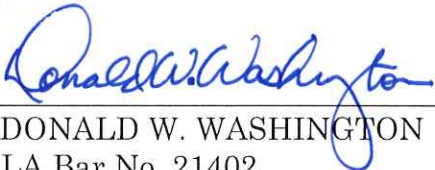
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Dated: 12/15/2023



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